

OGC Has Reviewed

1 August 1955

Forwarding Memorandum

SUBJECT: Air-Conditioning for Rooms 1321-1325 "W" Building

1. Our concurrence has been noted on the attached memorandum dated 28 June 1955 from Chief, Real Estate and Construction Division/OL, to the Director of Logistics. We are informed that the purchase will be made on vouchered funds through GSA. In accordance with Title 40, U. S. Code, Section 318, which deals with procurement of air-conditioning equipment, the purchase is subject to approval by GSA. Therefore, GSA will make the final legal decision whether the purchase can be made under the exception in Section 318 covering "equipment for special laboratory, scientific, and research purposes."

2. We have looked into the legislative history of the phrase quoted above and talked with the General Counsel's office of GSA. It is difficult to get any definite guidance on the scope of this exception. Apparently Congress intended to make a fairly broad exception covering technical installations. However, the actual language is rather narrow and GSA might question whether it covers a purely mechanical photocopying installation. The Agency should be prepared to show that the installation in question comes within the meaning of the statutory language. It might be helpful, for example, to be able to show that testing, or experimental, or developmental work is being done in the room.

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Assistant General Counsel

OGC/RGH:pkb

Attachment

ORIG-91-SA/DOS

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ORIGINAL DOCUMENT MISSING PAGE(S):

NO att.